

107TH CONGRESS  
2D SESSION

# S. 1918

To expand the teacher loan forgiveness programs under the guaranteed and direct student loan programs for highly qualified teachers of mathematics, science, and special education, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 7, 2002

Ms. COLLINS (for herself, Mr. FRIST, Mr. LIEBERMAN, Mr. DEWINE, Mr. ROBERTS, Mr. SESSIONS, Mr. CARPER, and Mr. BREAU) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To expand the teacher loan forgiveness programs under the guaranteed and direct student loan programs for highly qualified teachers of mathematics, science, and special education, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Mathematics, Science,  
5       and Special Education Teacher Recruitment Act of 2002”.

1 **SEC. 2. REVISION OF TEACHER LOAN FORGIVENESS PRO-**  
 2 **GRAMS.**

3 (a) GUARANTEED STUDENT LOANS.—Part B of title  
 4 IV of the Higher Education Act of 1965 (20 U.S.C. 1071  
 5 et seq.) is amended by inserting after section 428K the  
 6 following:

7 **“SEC. 428L. EXPANDED LOAN FORGIVENESS FOR HIGHLY**  
 8 **QUALIFIED TEACHERS OF MATHEMATICS,**  
 9 **SCIENCE, AND SPECIAL EDUCATION.**

10 “(a) PURPOSE.—It is the purpose of this section to—

11 “(1) expand, subject to the availability of ap-  
 12 propriations, the eligibility of certain highly qualified  
 13 teachers to qualify for loan forgiveness beyond that  
 14 available under section 428J; and

15 “(2) provide additional incentives for highly  
 16 qualified teachers of mathematics, science, and spe-  
 17 cial education in high-need schools to enter and con-  
 18 tinue in the teaching profession.

19 “(b) PROGRAM AUTHORIZED.—

20 “(1) IN GENERAL.—The Secretary is authorized  
 21 to carry out a program, through the holder of the  
 22 loan, of assuming the obligation to repay a qualified  
 23 loan amount for a loan made under section 428 or  
 24 428H, in accordance with subsection (c), for any  
 25 borrower who—

1           “(A) is a highly qualified, full-time teacher  
 2           of mathematics, science, or special education at  
 3           a high-need school, and has been so employed  
 4           for not less than 5 consecutive complete school  
 5           years;

6           “(B) had mathematics, life or physical  
 7           sciences, technology, engineering, or special  
 8           education as an undergraduate academic major  
 9           or minor, or has a graduate degree in any such  
 10          field, as certified by the chief administrative of-  
 11          ficer of the public or nonprofit private school in  
 12          which the borrower is employed; and

13          “(C) is not in default on a loan for which  
 14          the borrower seeks forgiveness.

15          “(2) SELECTION OF RECIPIENTS.—The Sec-  
 16          retary shall promulgate regulations to ensure fair-  
 17          ness and equality for applicants in the selection of  
 18          borrowers for loan repayment under this section,  
 19          based on the amount appropriated to carry out this  
 20          section.

21          “(c) QUALIFIED LOAN AMOUNTS.—

22          “(1) IN GENERAL.—The Secretary is authorized  
 23          to repay not more than \$17,500 in the aggregate of  
 24          the loan obligation on 1 or more loans made under  
 25          section 428 or 428H that are outstanding after the

1 completion of the fifth complete school year of teach-  
 2 ing described in subsection (b)(1)(A).

3 “(2) TREATMENT OF CONSOLIDATION LOANS.—

4 A loan amount for a loan made under section 428C  
 5 may be a qualified loan amount for the purposes of  
 6 this subsection only to the extent that such loan  
 7 amount was used to repay a Federal Direct Stafford  
 8 Loan, a Federal Direct Unsubsidized Stafford Loan,  
 9 or a loan made under section 428 or 428H for a  
 10 borrower who meets the requirements of subsection  
 11 (b), as determined in accordance with regulations  
 12 prescribed by the Secretary.

13 “(d) REGULATIONS.—The Secretary is authorized to  
 14 issue such regulations as may be necessary to carry out  
 15 the provisions of this section.

16 “(e) CONSTRUCTION.—Nothing in this section shall  
 17 be construed to authorize any refunding of any repayment  
 18 of a loan.

19 “(f) ADDITIONAL ELIGIBILITY PROVISIONS.—

20 “(1) CONTINUED ELIGIBILITY.—A highly quali-  
 21 fied teacher shall be eligible for loan forgiveness pur-  
 22 suant to subsection (b), if the teacher performs serv-  
 23 ice in a school that—

1 “(A) meets the definition of a high-need  
 2 school under subsection (g) in any year during  
 3 such service; and

4 “(B) in a subsequent year, fails to meet  
 5 the definition of a high-need school under sub-  
 6 section (g).

7 “(2) PREVENTION OF DOUBLE BENEFITS.—

8 “(A) NATIONAL SERVICE POSITIONS.—No  
 9 borrower may, for the same service, receive a  
 10 benefit under both this section and subtitle D  
 11 of title I of the National and Community Serv-  
 12 ice Act of 1990 (42 U.S.C. 12601 et seq.).

13 “(B) LOAN FORGIVENESS AND CANCELLA-  
 14 TION PROVISIONS FOR TEACHERS.—

15 “(i) FORGIVENESS.—No borrower  
 16 may receive a reduction of loan obligations  
 17 under both this section and section 428J.

18 “(ii) CANCELLATION.—No borrower  
 19 may receive loan forgiveness under this  
 20 section and loan cancellation under section  
 21 460 or section 460A that exceeds, in the  
 22 aggregate, \$17,500.

23 “(g) DEFINITIONS.—In this section:

24 “(1) HIGHLY QUALIFIED.—The term ‘highly  
 25 qualified’ has the meaning given the term in section

1        9101 of the Elementary and Secondary Education  
2        Act of 1965 (Public Law 107–110).

3            “(2) HIGH-NEED SCHOOL.—The term ‘high-  
4        need school’ has the meaning given the term in sec-  
5        tion 2304(d) of the Elementary and Secondary Edu-  
6        cation Act of 1965 (Public Law 107–110).

7            “(3) YEAR.—The term ‘year’, where applied to  
8        service as a teacher, means an academic year as de-  
9        fined by the Secretary.

10          “(h) AUTHORIZATION OF APPROPRIATIONS.—There  
11        is authorized to be appropriated to carry out this section  
12        such sums as may be necessary for the period of fiscal  
13        years 2003 through 2008.”.

14          (b) DIRECT STUDENT LOANS.—Part D of title IV of  
15        the Higher Education Act of 1965 (20 U.S.C. 1087a) is  
16        amended by inserting after section 460 the following:

17        **“SEC. 460A. EXPANDED LOAN CANCELLATION FOR HIGHLY**  
18                            **QUALIFIED TEACHERS OF MATHEMATICS,**  
19                            **SCIENCE, AND SPECIAL EDUCATION.**

20          “(a) PURPOSE.—It is the purpose of this section to—

21            “(1) expand, subject to the availability of ap-  
22        propriations, the eligibility of certain highly qualified  
23        teachers to qualify for loan cancellation beyond that  
24        available under section 460; and

1           “(2) provide additional incentives for highly  
2           qualified teachers of mathematics, science, and spe-  
3           cial education in high-need schools to enter and con-  
4           tinue in the teaching profession.

5           “(b) PROGRAM AUTHORIZED.—

6           “(1) IN GENERAL.—The Secretary is authorized  
7           to cancel the obligation to repay a qualified loan  
8           amount in accordance with subsection (c) for Fed-  
9           eral Direct Stafford Loans and Federal Direct Un-  
10          subsidized Stafford Loans made under this part for  
11          any borrower who—

12                 “(A) is a highly qualified, full-time teacher  
13                 of mathematics, science, or special education at  
14                 a high-need school, and has been so employed  
15                 for not less than 5 consecutive complete school  
16                 years;

17                 “(B) had mathematics, life or physical  
18                 sciences, technology, engineering, or special  
19                 education as an undergraduate academic major  
20                 or minor, or has a graduate degree in any such  
21                 field, as certified by the chief administrative of-  
22                 ficer of the public or nonprofit private school in  
23                 which the borrower is employed; and

24                 “(C) is not in default on a loan for which  
25                 the borrower seeks forgiveness.

1           “(2) SELECTION OF RECIPIENTS.—The Sec-  
 2       retary shall promulgate regulations to ensure fair-  
 3       ness and equality for applicants in the selection of  
 4       borrowers for loan cancellation under this section,  
 5       based on the amount appropriated to carry out this  
 6       section.

7           “(c) QUALIFIED LOAN AMOUNTS.—

8           “(1) IN GENERAL.—The Secretary is authorized  
 9       to cancel not more than \$17,500 in the aggregate of  
 10      the loan obligation on 1 or more Federal Direct  
 11      Stafford Loans or 1 or more Federal Direct Unsub-  
 12      sidized Stafford Loans that are outstanding after  
 13      the completion of the fifth complete school year of  
 14      teaching described in subsection (b)(1)(A).

15          “(2) TREATMENT OF CONSOLIDATION LOANS.—  
 16      A loan amount for a Federal Direct Consolidation  
 17      Loan may be a qualified loan amount for the pur-  
 18      poses of this subsection only to the extent that such  
 19      loan amount was used to repay a Federal Direct  
 20      Stafford Loan, a Federal Direct Unsubsidized Staf-  
 21      ford Loan, or a loan made under section 428 or  
 22      428H for a borrower who meets the requirements of  
 23      subsection (b), as determined in accordance with  
 24      regulations prescribed by the Secretary.



1       “(d) REGULATIONS.—The Secretary is authorized to  
 2 issue such regulations as may be necessary to carry out  
 3 the provisions of this section.

4       “(e) CONSTRUCTION.—Nothing in this section shall  
 5 be construed to authorize any refunding of any canceled  
 6 loan.

7       “(f) ADDITIONAL ELIGIBILITY PROVISIONS.—

8               “(1) CONTINUED ELIGIBILITY.—A highly quali-  
 9 fied teacher shall be eligible for loan forgiveness pur-  
 10 suant to subsection (b), if the teacher performs serv-  
 11 ice in a school that—

12                   “(A) meets the definition of a high-need  
 13 school under subsection (g) in any year during  
 14 such service; and

15                   “(B) in a subsequent year, fails to meet  
 16 the definition of a high-need school under sub-  
 17 section (g).

18       “(2) PREVENTION OF DOUBLE BENEFITS.—

19               “(A) NATIONAL SERVICE POSITIONS.—No  
 20 borrower may, for the same service, receive a  
 21 benefit under both this section and subtitle D  
 22 of title I of the National and Community Serv-  
 23 ice Act of 1990 (42 U.S.C. 12601 et seq.).

24               “(B) LOAN FORGIVENESS AND CANCELLA-  
 25 TION PROVISIONS FOR TEACHERS.—

1 “(i) CANCELLATION.—No borrower  
2 may receive a reduction of loan obligations  
3 under both this section and section 460.

4 “(ii) FORGIVENESS.—No borrower  
5 may receive loan cancellation under this  
6 section and loan forgiveness under section  
7 428J or section 428L that exceeds, in the  
8 aggregate, \$17,500.

9 “(g) DEFINITIONS.—In this section:

10 “(1) HIGHLY QUALIFIED.—The term ‘highly  
11 qualified’ has the meaning given the term in section  
12 9101 of the Elementary and Secondary Education  
13 Act of 1965 (Public Law 107–110).

14 “(2) HIGH-NEED SCHOOL.—The term ‘high-  
15 need school’ has the meaning given the term in sec-  
16 tion 2304(d) of the Elementary and Secondary Edu-  
17 cation Act of 1965 (Public Law 107–110).

18 “(3) YEAR.—The term ‘year’, where applied to  
19 service as a teacher, means an academic year as de-  
20 fined by the Secretary.

21 “(h) AUTHORIZATION OF APPROPRIATIONS.—There  
22 is authorized to be appropriated to carry out this section  
23 such sums as may be necessary for the period of fiscal  
24 years 2003 through 2008.”.

